

**TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE**



FISCAL NOTE

SB 136 – HB 246

March 18, 2023

SUMMARY OF BILL: Requires the State Office of Vital Records of the Department of Health to designate in reports to the Elections Commission the date of death as “unknown” for persons who have died if their date of death is not able to be provided. Requires the Coordinator of Elections to obtain information from the State Office of Vital Records regarding residents who are deceased within 60 days prior to the November general election, or in March and September of non-general election years. Requires the Coordinator of Elections to then notify each county election commission of their respective reports, who must then update their voter registration record to reflect the date of death of registered voters, the date the report was created and received, and the source of the report. Requires the Coordinator of Elections to share an annual report with the Tennessee General Assembly (TGA) regarding the timeliness and accuracy of date of death information, and that a copy of the report must be published on the Secretary of State’s (SOS) website.

FISCAL IMPACT:

Increase State Revenue – \$4,500/FY23-24/Strategic Technology Solutions

**Increase State Expenditures – \$4,500/FY23-24/Secretary of State
\$800/FY23-24 and Subsequent Years/General Fund**

**Increase Local Expenditures – \$173,100/FY23-24*
\$70,100/FY24-25 and Subsequent Years***

Assumptions:

- Tenn. Code Ann. § 2-2-133 does not currently specify when the Coordinator of Elections must obtain information regarding the deceased. The proposed legislation will put parameters around the timeframe of when this must be done.
- Pursuant to Tenn. Code Ann. § 2-2-133(d), county election commissions are required to purge voting registration records of all deceased registered voters appearing on the report transmitted by the Coordinator of Elections at least every 30 days. The proposed legislation requires both the Coordinator of Elections and county election commissions to retain an electronic and a paper copy of all reports for a minimum of 24 months.
- In order for local county commissions to accommodate the additional fields on the purged voters’ electronic records, each county would be required to update their records

system, which can be accomplished in all except for three counties without an increase in expenditures.

- Updating their records system will create a one-time increase in local expenditures of \$1,500 for the Knox County Elections Commission, \$15,575 for the Davidson County Elections Commission, and \$86,000 for the Shelby County Elections Commission in FY23-24.
- County election commissions will be required to print and store physical and electronic copies of all reports, and to publish public notices prior to the destruction of purged voter records, which will result in a recurring increase in local expenditures of \$70,068 in FY23-24 and subsequent years.
- The Division of Elections will also be required to print and store physical copies of the reports, which will create a recurring increase in state expenditures of \$780 in FY23-24 and subsequent years.
- In order to accommodate the additional fields on purged voters' electronic records, the state will need to update its AES voter registration record system, which is maintained by Strategic Technology Solutions. This will create a one-time increase in state expenditures of \$4,500, and a corresponding increase in state revenue to Strategic Technology Solutions of \$4,500, in FY23-24.
- Both the annual report shared with the TGA and the copy published on the SOS's website can be created and shared with no significant increase in state expenditures.
- The total increase in local expenditures will be \$173,143 (\$1,500 + \$15,575 + \$86,000 + \$70,068) in FY23-24, and \$70,068 in FY24-25 and subsequent years.

**Article II, Section 24 of the Tennessee Constitution provides that: no law of general application shall impose increased expenditure requirements on cities or counties unless the General Assembly shall provide that the state share in the cost.*

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.



Krista Lee Carsner, Executive Director

/cd